



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2619

Introduced 1/20/2006, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2XX new

Amends the Consumer Fraud and Deceptive Business Practices Act. Makes mortgage loan steering or other specified fee and loan practices, based on the fact that a person is a member of a protected class under the Human Rights Act, an unlawful business practice. Provides that a consumer who is concerned about a steering practice in the State may file a written request for assistance with the Attorney General or the State's Attorney.

LRB094 18934 LCT 54382 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section 2XX as follows:

6 (815 ILCS 505/2XX new)

7 Sec. 2XX. Mortgage steering; loans.

8 (a) A person must not engage in steering another person who
9 is a member of a protected class under the Human Rights Act.

10 For purposes of this Section, "steering" means:

11 (1) restricting or attempting to restrict a person's
12 choices because of factors other than a person's income or
13 credit level in connection with seeking, negotiating, or
14 buying a dwelling, including seeking a mortgage loan for a
15 dwelling;

16 (2) discouraging a person from a particular mortgage
17 loan with more favorable terms if the person may qualify
18 for that particular mortgage loan;

19 (3) directing a person away from a housing or mortgage
20 loan product, program, or service with more favorable terms
21 if the person may qualify for that particular product,
22 program, or service; or

23 (4) offering less favorable mortgage loan terms than
24 would otherwise be offered.

25 (b) This Section does not prohibit:

26 (1) use of a logo or other means of advertising that
27 housing is suitable or adapted to use by persons with a
28 disability; or

29 (2) keeping records or making reports required by
30 federal, State, or county law.

31 (c) Any person who violates this Section commits an
32 unlawful practice within the meaning of this Act.

1 (d) A consumer who is concerned about a steering practice
2 in this State may file a written request for assistance with
3 the Attorney General or the State's Attorney.

4 (e) For purposes of this Section, "mortgage loan" means the
5 making of a loan or providing other financial assistance to
6 purchase, refinance, construct, improve, repair, or maintain a
7 dwelling that is secured by real property, or any other type of
8 loan that is secured by a dwelling.